

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALAN NEWTON,

Plaintiff,

- against -

THE CITY OF NEW YORK, *et al.*,

Defendants.

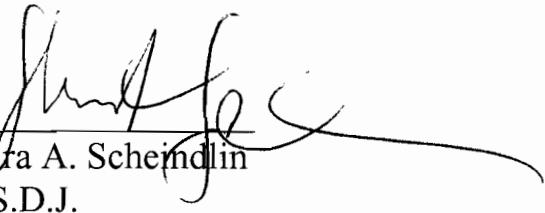
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SHIRA A. SCHEINDLIN, U.S.D.J.:

On June 17, 2009, plaintiff moved for leave to file an amended complaint, which named thirteen additional defendants. At defendants' request, this Court will hold the motion in abeyance until resolution of the two pending motions for summary judgment. Plaintiffs' motion for leave to file an amended complaint tolls the statute of limitations with regard to the newly-named plaintiffs. *See, e.g., Moore v. State of Indiana*, 999 F.2d 1125 (7th Cir. 1993). If any portion of this case survives summary judgment, defendants must file their opposition within two weeks of this Court's decision. Plaintiff will then have one week to file a reply.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
June 26, 2009

USDC SDNY
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DOC #:
DATE FILED: <u>6/29/09</u>

ORDER

07 Civ. 6211

- Appearances -

For Plaintiff:

John Francis Schutty III, Esq.
Law Office of John F. Schutty
445 Park Avenue, 9th Floor
New York, New York 10022
(212) 836-4796

For Defendants:

Arthur Gabriel Larkin III, Esq.
Fred Michael Weiler, Esq.
The New York City Law Department
100 Church Street
New York, New York 10007
(212) 788-1599